

AUG 15 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

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JEFFERY T. WASHINGTON,
Plaintiff,

v.

COFFEEWOOD CORRECTIONAL
CENTER, *et al.*,
Defendants.

Civil Action No. 7:06cv00249

MEMORANDUM OPINION
& ORDER

By: Samuel G. Wilson
United States District Judge

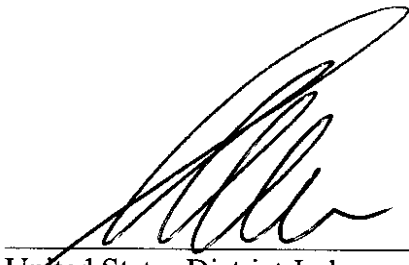
Jeffrey T. Washinton has filed a "Motion for a Refraining Order" requesting that the court order an institutional employee, Bill Woodward, to stop "show[ing] favoritism" to other inmates.¹ In support of his motion, Washington alleges that Woodward will allow other inmates into the institutional law library without question; however, he will only allow Washington to enter the law library when his name is on the "list." He also claims that Woodward has threatened to put him in "confinement" without cause.

A district court should award injunctive relief sparingly and only when the party seeking relief has demonstrated, among other things, a likelihood of success on the merits of his underlying claims. Rum Creek Coal Sales, Inc. v. Caperton, 926 F.2d 353, 360 (4th Cir. 1991); Manning v. Hunt, 119 F.3d 254, 263 (4th Cir. 1997); Direx Israel, Ltd. v. Breakthrough Medical Group, 952 F.2d 802, 812 (4th Cir. 1991)(citation omitted). By Memorandum Opinion and Order entered May 2, 2006, Washington's complaint was dismissed pursuant to 28 U.S.C. § 1915A(b)(1). Therefore, this court cannot find that injunctive relief is appropriate and dismisses the instant motion.

¹The court notes that Woodward is not a named defendant in the instant action.

The Clerk of the Court is directed to send a certified copy of this Memorandum Opinion
& Order to plaintiff.

ENTER: This 15th of August, 2006.


United States District Judge